

A. G. Contract No. TR-1717-TRD
ECS File: JPA-39-105
Section: Maricopa Road (SR 347)

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
PINAL COUNTY

THIS AGREEMENT is entered into 23 August, 1989,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and
PINAL COUNTY, acting by and through its Board of Supervisors
(the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The County is empowered by Arizona Revised Statutes
Section 11-251 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has
authorized the undersigned to execute this agreement on behalf
of the County.

3. The State and County desire to design certain
improvements to Maricopa Road (SR 347), from I-10 to State
Route 84 to a four-lane divided highway for the benefit of the
motoring public.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

NO. <u>14157</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>8-23-89</u>
<u>Jim Sherman</u> Sec. of State
By <u>B. H. H. H. H. H.</u>

II. SCOPE OF WORK

1. State will:

a. Review plans and provide comments as appropriate.

b. Reimburse County for the design of the improvements to Maricopa Road within right of way limits from I-10 to State Route 34, per approved scope of work as ammended, attached hereto and made a part hereof, in an amount not to exceed \$1,000,000 payable in current fiscal year, as adopted and approved by the Transportation Board on May 19, 1989 as part of the 5-Year Program.

c. Remit payment within 30 days upon approval of billing by State.

2. County will:

a. Design improvements to Maricopa Road project as designated to meet minimum State standards.

b. Submit to State monthly billings within 10 days of receipt of Consultant's monthly billings.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said project.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518(B) and (C).

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Engineering Consultants Services
205 South 17 Avenue, Room 118E
Phoenix, AZ 85007


Pinal County
Ass't County Manager
for Public Works
P. O. Box 727
Florence, AZ 85232

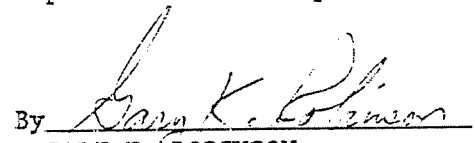
7. Attached hereto and incorporated herein is a copy of the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

PINAL COUNTY, ARIZONA

STATE OF ARIZONA
Department of Transportation

By 
WM. "BILL" METHIESON
Chairman, Pinal County
Board of Supervisors

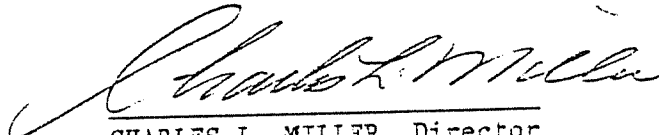
By 
GARY K. ROBINSON
Chief Deputy State Engineer

2075j
21JUL

RESOLUTION

BE IT RESOLVED on this 19th day of July 1989, that I, CHARLES L. MILLER, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the County of Pinal for the purpose of reimbursement of design costs to design certain improvements to Maricopa Road (SR 347), from I-10 to State Route 84 to a four-lane divided highway, not to exceed \$1,000,000 in current fiscal year.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.



CHARLES L. MILLER, Director
Arizona Department of
Transportation

WM. "BILL" MATHIESON, Chairman
Mammoth

ROY HUDSON, Member
Apache Junction

DEAN WEATHERLY, Member
Casa Grande



QUENTIN D. SICKEL
Acting Clerk

PINAL COUNTY

Board of Supervisors

POST OFFICE BOX 327 - FLORENCE, ARIZONA 85232
TELEPHONE (602) 368-5301
Facsimile (602) 368-5765

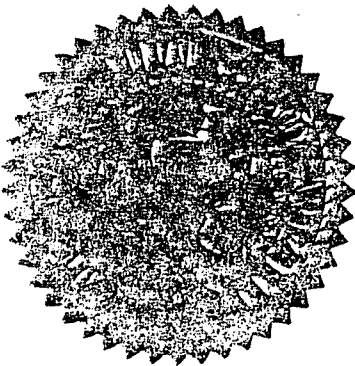
I, SHERI CLUFF, ACTING CLERK OF THE BOARD OF SUPERVISORS OF PINAL COUNTY,
DO HEREBY CERTIFY THAT I HAVE COMPARED THE FOREGOING COPY OF

Board of Supervisors Minutes of July 24, 1989

WITH THE ORIGINAL RECORDS OF THE SAME IN THIS OFFICE, AND THAT THE SAME ARE
CORRECT TRANSCRIPTS THEREFROM, AND THE WHOLE OF SAID ORIGINAL RECORDS.

WITNESS MY HAND AND SEAL OF THE BOARD OF SUPERVISORS THIS 8th

DAY OF August, 19 89.



Sheri Cluff
SHERI CLUFF, ACTING CLERK
PINAL COUNTY BOARD OF SUPERVISORS

Mr. Hudson questioned Item #6 "Medicare Cost Report";

Mr. Teegarden explained that every year the hospital's and other health care institutions receive medicare funds and are required to do an annual cost report. He said it is a detailed financial report about the operation of the hospital.

Motion was made by Mr. Weatherly and seconded by Mr. Hudson to approve the purchasing report with the exception of item #1 under Discussion/Approval to be tabled for further information from Terry Doolittle. Vote unanimous;

Larry B. Hansen, Asst. Manager for Public Works and John Encinas, Director of Highways were present for the following six items:

Work Order #000729-To install new roof for Treasurer's Office.

Motion was made by Mr. Weatherly and seconded by Mr. Hudson to approve Work Order #000729-to install new roof for Treasurer's Office. Vote unanimous;

Presentation of new 1989 Highway map of Pinal County for approval.

Mr. Encinas presented the Board with the new 1989 Highway Map of Pinal County for approval.

Board advised Mr. Encinas regarding the ability of the board to change road names. Mr. Mendoza said he would like to review the Ordinance 122986 and also explore the Board's concerns and report back.

Board advised Mr. Encinas they would like to defer until next meeting so they could review the map.

Release of letter of credit, Ironwood at MountainBrook Village.

Mr. Encinas stated that an inspection was made July 11 and all improvements have been completed according to plans, with the exception of the chip seal application. It is their plans to do the chip seal also when they do the MountainBrook Construction.

Motion was made by Mr. Hudson and seconded by Mr. Weatherly to release letter of credit #605-28846. Vote unanimous;

IGA between Pinal County, State of Arizona and Maricopa County for the transfer of \$3.5 million to Pinal County for purchase of right-of-way on the Gila River & Ak Chin Indian Reservation along Maricopa Road.

Mr. Brad Gair, Project Director for Maricopa Road was present to explain the IGA's between Pinal County, State of Arizona and Maricopa County.

Motion was made by Mr. Weatherly and seconded by Mr. Hudson to approve the IGA between Pinal County, State of Arizona and Maricopa County for the transfer of 3.5 million to Pinal County for purchase of right-of-way on the Gila River & Ak Chin Indian Reservations along Maricopa Road, and IGA between Pinal County and State of Arizona for the transfer of \$1 million to Pinal County for the design of Maricopa Road. Vote unanimous;

Salary authorization on Facilities Management Organization.

This item was deferred until later in the afternoon.

ROY A. MENDOZA
PINAL COUNTY ATTORNEY

BOYD T. JOHNSON
CHIEF DEPUTY

CRIMINAL DIVISION
DWIGHT P. CALLAHAN
CINDA L. GRAF
CATHERINE M. HUGHES
JEANNE M. BENDA
E. CATHERINE LEISCH
CLIFFORD J. HOFMANN, Jr.
JAMES H. DAWDY, Jr.
DANIEL J. DERIENZO
JOY L. KEMP
DEPUTIES

OFFICE OF THE
County Attorney

PINAL COUNTY
P.O. BOX 887
FLORENCE, ARIZONA 85232

(602) 368-5801, Ext. 271

CIVIL DIVISION
STEPHEN M. KEMP
KATHY CASTEEL
M. RUTH HARRISON
LOGAN F. BOREN
DAVID M. WILSON

CHILD SUPPORT DIVISION
CAROLYN C. HOLLIDAY
DANIEL G. FIELD
DEPUTIES

DEFERRED PROSECUTION
JOHN C. FELIX

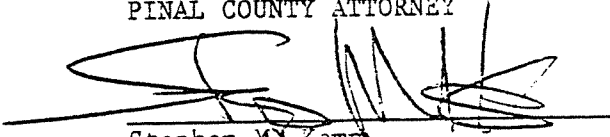
INVESTIGATOR
RAY R. VASQUEZ

PINAL COUNTY
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

This contract between Pinal County and Maricopa County and the State of Arizona, acting by and through its Department of Transportation which is an agreement between public entities has been reviewed pursuant to A.R.S. §11-951 and §11-952 by the undersigned Pinal County Attorney, who has determined that it is in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 7th day of August, 1989.

ROY A. MENDOZA
PINAL COUNTY ATTORNEY

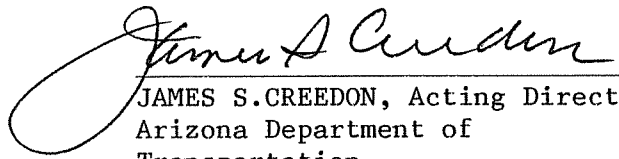

Stephen M. Kemp
Chief Civil Deputy

/encl:

RESOLUTION

BE IT RESOLVED on this 13th day of June 1991, that I, JAMES S. CREEDON, as Acting Director of the Arizona Department of Transportation, have determined that it is in the best interest of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement at the request of Pinal County, for the purpose of defining certain responsibilities for the continued construction of improvements to Maricopa Road, Segment IV, between State Route 238 and State Route 84.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.


JAMES S. CREEDON, Acting Director
Arizona Department of
Transportation



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR89-1717-TRD, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 21st day of August, 1989.

ROBERT K. CORBIN
Attorney General

Albert Morgan
ALBERT MORGAN
Assistant Attorney General
Transportation Division

COST ESTIMATE
EXHIBIT "A"

	<u>TRACK WORK</u>	<u>SIGNAL WORK</u>	<u>TOTAL</u>
Labor	\$ 6,955	\$33,070	\$40,025
Material	7,512	83,080	90,592
Other	<u>14,503</u>	<u>60,495</u>	<u>74,998</u>
TOTAL	\$28,970	\$176,645	\$205,615